

### **Remarks**

The Office Action of April 10, 2007 and cited prior art references were reviewed with care in preparing for this amendment and response, and for the telephone interview with the Examiner of July 6, 2007.

After the above amendments, claims 77-84, 86 and 91 remain pending in the application. Claims 87 and 88 were cancelled to facilitate prosecution. Allowance of all claims as amended is respectfully requested.

### **Interview Summary**

The undersigned thanks Examiner Parsley for the interview of July 6, 2007, at which proposed amendments of all independent claims (claims 77, 86 and 91) and dependent claim 78 were discussed. The adjustments in the independent claims better emphasize the location of all of the LED illuminator – as being disposed in the distal end of the handle, facing the net and remote from the opposite end of the handle. It was pointed out that, with this further clarification and emphasis, the claims are patentably distinguishable over the prior art. During the interview, the Examiner said that it appears that the proposed claim adjustments overcome the rejection.

Applicants also pointed out that the present claim amendments do not involve any new matter, nor do they raise any “new issue.” Thus, applicants submit that the claims are ready for allowance.

### **Points in the Office Action**

Claims 78-79 and 88 were rejected under 35 USC 112, second paragraph, as being indefinite. More specifically, the Examiner rejected claim 78 as being unclear whether “a lens” in line 3 of the claim is the same lens as in line 1 of the claim. This rejection is overcome by removal of “lens” from line 1 of the claim. The Examiner rejected claim 88 as having insufficient antecedent basis for the limitations “the annular groove” and “the annular ridge.” To facilitate prosecution, claim 88 has now been cancelled.

Claims 77-79 were rejected under 35 USC 103(a) as unpatentable over DePoe in view of Blaschke and further in view of Yen. Independent claim 77 has been now amended to further distinguish over the prior art, and claims 77-79 are in condition for allowance, as further

set forth below. These claims are patentably distinguishable over the prior art.

The DePoe reference does not disclose any type of illuminator; DePoe fishing net has a depth sensor in the frame and an merely an indicating device at the end of the handle remote from the net and frame. In contrast, applicants' invention has all of the LED illuminator disposed in the distal end of the net-adjacent section of the handle, facing the net and remote from the opposite end of the handle. Furthermore, the LED illuminator has a "light body" which has a net-facing end. In applicant's invention as set forth in claim 77, all of the LED illuminator is further clarified as including a switch secured to the light body, which, as already pointed out, positions it at the distal end of the net-adjacent section. Claim 77 further requires that the light body have a single recess such that both LED and battery are disposed within the same single inner recess of the light body. Nothing like these claimed features is in the prior art, and all the distinctions reflected in the claims provide an important improvement in the field.

In summary, DePoe, Blaschke and Yen, either alone or in combination, fail to disclose or render obvious applicants' invention as set forth in amended claim 77.

Claims 80-82 and 84 were rejected under 35 USC 103(a) as unpatentable over DePoe in view of Blaschke, Yen and Johnson. This rejection is respectfully traversed in view of the amendment of independent claim 77, upon which these claims depend, and in view of the above comments. Claims 80-82 and 84 are in condition for allowance.

Claim 83 was rejected under 35 USC 103(a) as unpatentable over DePoe in view of Blaschke, Yen, Johnson and of Brundage et al. This rejection is respectfully traversed in view of the amendment of independent claim 77, upon which this claim depends, and in view of the above comments. Claim 83 is in condition for allowance.

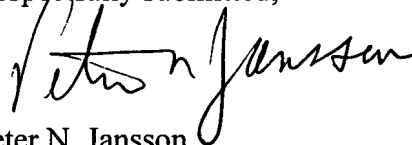
Claims 86 and 91 were rejected under 35 USC 103(a) as unpatentable over DePoe in view of Yen. As stated above with respect to independent claim 77, claims 86 and 99 are now amended to further emphasize that all of the LED illuminator is disposed in the distal end of the handle, facing the net and remote from the opposite end of the handle. Furthermore, the LED illuminator has a "light body" which has a net-facing end. The combinations of amended claims 86 and 91 are neither disclosed nor suggested in the prior art, and these claims, as well as claim 87, which is dependent on amended independent claim 86, are in condition for allowance.

Claims 87-88 were rejected under 35 USC 103(a) as unpatentable over DePoe in view of Yen and Johnson. As noted above, claims 87 and 88 have been cancelled to facilitate prosecution.

In view of the above, allowance of this application is hereby requested. The Examiner is invited to call the undersigned attorney to resolve any issues that might remain.

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Respectfully submitted,



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